

1 HAROLD J. MCELHINNY (CA SBN 66781)
 hmcclhinny@mofo.com
 2 MICHAEL A. JACOBS (CA SBN 111664)
 mjacobs@mofo.com
 3 RACHEL KREVANS (CA SBN 116421)
 rkrevans@mofo.com
 4 JENNIFER LEE TAYLOR (CA SBN 161368)
 jtaylor@mofo.com
 5 ALISON M. TUCHER (CA SBN 171363)
 atucher@mofo.com
 6 RICHARD S.J. HUNG (CA SBN 197425)
 rhung@mofo.com
 7 JASON R. BARTLETT (CA SBN 214530)
 jasonbartlett@mofo.com
 8 MORRISON & FOERSTER LLP
 425 Market Street
 9 San Francisco, California 94105-2482
 Telephone: (415) 268-7000
 10 Facsimile: (415) 268-7522

WILLIAM F. LEE
 william.lee@wilmerhale.com
 WILMER CUTLER PICKERING
 HALE AND DORR LLP
 60 State Street
 Boston, MA 02109
 Telephone: (617) 526-6000
 Facsimile: (617) 526-5000

MARK D. SELWYN (SBN 244180)
 mark.selwyn@wilmerhale.com
 WILMER CUTLER PICKERING
 HALE AND DORR LLP
 950 Page Mill Road
 Palo Alto, California 94304
 Telephone: (650) 858-6000
 Facsimile: (650) 858-6100

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 12 Attorneys for Plaintiff and
 Counterclaim-Defendant APPLE INC.

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 15 UNITED STATES DISTRICT COURT
 16 NORTHERN DISTRICT OF CALIFORNIA
 17 SAN JOSE DIVISION

18 APPLE INC.,
 19 Plaintiff,
 20 v.
 21 SAMSUNG ELECTRONICS CO., LTD., a
 Korean business entity; SAMSUNG
 22 ELECTRONICS AMERICA, INC., a New York
 corporation; SAMSUNG
 23 TELECOMMUNICATIONS AMERICA, LLC, a
 Delaware limited liability company,
 24 Defendants.
 25

Case No. 11-cv-01846-LHK (PSG)

**DECLARATION OF MARK D.
 SELWYN IN SUPPORT OF
 APPLE'S OPPOSITION TO
 SAMSUNG'S JMOL, NEW TRIAL,
 AND REMITTITUR MOTION**

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I, MARK D. SELWYN, declare as follows:

1. I am a partner with the law firm of Wilmer Cutler Pickering Hale and Dorr LLP (“WilmerHale”), counsel for Apple Inc. (“Apple”). I am licensed to practice law in the State of California. I am familiar with and knowledgeable about the facts stated in this declaration and if called upon could and would testify competently as to the statements made herein.

2. On August 15, 2012, Apple disclosed to Samsung a clip of Dr. Ahn’s video deposition testimony that Apple intended to play for the jury. That clip contained testimony regarding the Samsung-Intel agreement (PX81).

3. Apple also prepared a shorter excerpt of Dr. Ahn’s deposition testimony that differed in one respect—the shorter version omitted the testimony from Dr. Ahn relating to the Intel agreement. After the Samsung-Intel agreement was admitted into evidence during the testimony of Mr. Donaldson (Tr. 3540:22-3541:8 (admitting PX81)), Apple played this shorter version of Dr. Ahn’s testimony for the jury. (Tr. 3546:18-3547:13 (explaining that Apple was presenting a “shortened version” of Dr. Ahn’s testimony).)

4. Attached as Exhibit 1 is a true and correct copy the transcript of Dr. Ahn’s video deposition testimony as played for the jury on August 17, 2012. A transcript of this testimony was lodged with the Court as PX218.

I declare under penalty of perjury that the foregoing is true and correct. Executed on October 19, 2012, in Palo Alto, California.

/s/ Mark D. Selwyn
Mark D. Selwyn